

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 16 JUN 2005

01/09. PCT

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/EP2005/050886

International filing date (day/month/year)
01.03.2005

Priority date (day/month/year)
01.03.2004

International Patent Classification (IPC) or both national classification and IPC
B60J7/047

Applicant
INALFA ROOF SYSTEMS GROUP B.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/EP2005/050886

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
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**Box No. V Reasoned statement under Rule 43b/s.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	1-8
	No: Claims	
Inventive step (IS)	Yes: Claims	1-8
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-8
	No: Claims	

2. Citations and explanations

see separate sheet

To Chapter V.2.

Reference is made to the following documents:

- D1: US-A-6 056 352 (BENDIXEN OLUF H ET AL) 2 May 2000 (2000-05-02)
- D2: US-B1-6 457 770 (PFALZGRAF MANFRED ET AL) 1 October 2002 (2002-10-01)
- D3: US 2001/028181 A1 (PFALZGRAF MANFRED ET AL) 11 October 2001 (2001-10-11)
- D4: DE 100 63 055 A (WEBASTO VEHICLE SYS INT GMBH) 4 July 2002 (2002-07-04)
- D5: US-A-4 852 938 (BALL STEPHEN D ET AL) 1 August 1989 (1989-08-01)
- D6: DE 32 23 136 A (AISIN SEIKI) 3 March 1983 (1983-03-03)

V.2.1 Independent Claim 1

Document US 6457770 (D1) discloses the features in the preamble of independent claim 1, and is considered as the closest prior art.

The claimed invention differs from the document D1 essentially in that, in the opening position, the closure panels and the sunshade panels are separately stacked one behind the other in the longitudinal direction of the vehicle. D1 discloses sunshade panels stacked under the closure panels.

Therefore, the subject-matter of the present claim 1 fulfils the provisions of Art. 33 (2) PCT (Novelty) in view of the state of the art as mentioned in the search report.

Inventive Step

The problem to be solved by the present invention may therefore be regarded as to increase the inner height of the passenger compartment.

**WRITTEN OPINION OF THE
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AUTHORITY (SEPARATE SHEET)**

International application No.

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None of documents of the search report show panels stacked in a similar way to solve the problem posed.

The present claim 1 fulfils therefore the provisions of Art 33 (3) PCT.

For the same reasons claim 5 also meets the requirements of the PCT with respect to novelty and inventive step.

V.2.2. Dependent Claims 2-4,6-8

Claims 2-4,6-8 depending on claim 1 and having as subject-matter special and advantageous embodiments of the invention according to claim 1 seem, together with its subject-matter, to fulfil the provisions of Art. 33 and Rule 6 PCT.

V.3. Further Remarks and Defects in the Application Documents

V.3.1. With Respect to the Claims

Reference signs in parentheses should be inserted in the claims to increase their intelligibility, Rule 6.2 (b) PCT. This applies to both the preamble and characterising portion.

V.3.2. With Respect to the Description

The closest prior art document D1 is not identified in the description and the relevant background art disclosed therein is not briefly discussed; therefore, the description does not meet the requirements of Rule 5.1 (a) (ii) PCT.